

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
UNITED STATES DESIGNATED OFFICE/RECEIVING OFFICE**

In re the Application of:

Michael BULTE et al.

Art Unit: not yet assigned

Application No.: 10/584,270

Examiner: not yet assigned

Filed: June 23, 2006

Attorney Dkt. No.: 12007-0075

For: SPECIES-SPECIFIC AND QUANTITATIVE DETECTION OF CNS TISSUE IN
MEAT AND MEAT PRODUCTS (as amended)

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is being filed in response to the Notification of Defective Response dated July 21, 2008. First, Applicants already submitted a compact disk per the June 22, 2007 filing so it is not understood why this second notice was issued. Nevertheless, Applicants are resubmitting a compact disk in computer readable format containing the sequence listing for the above-referenced application. Also attached is a print-out of the listing as contained on the disk.

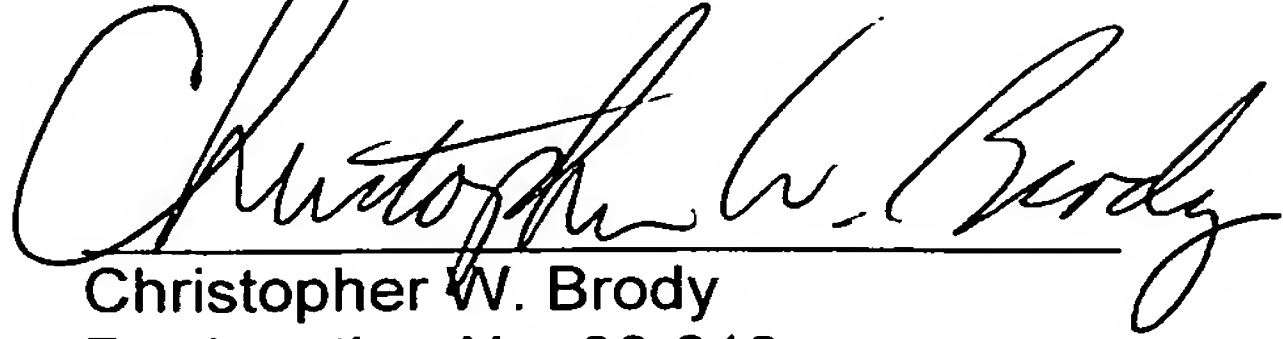
I hereby state that the information on the attached disc is the same as the written sequence listing submitted as part of the application filing papers, and that the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing.

I hereby state that this submission, filed in accordance with 37 CFR 1.821(g), does not go beyond the disclosure of the International Application, i.e., does not add new matter to the application, which serves as the basis for the instant application.

Please charge any fee deficiency or credit any overpayment to Deposit

Account No. 50-1088.

Respectfully submitted,
CLARK & BRODY

A handwritten signature in cursive script, reading "Christopher W. Brody", written over a horizontal line.

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Docket No.: 12007-0075
Date: August 15, 2008



UNITED STATES PATENT AND TRADEMARK OFFICE

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CUB
12007-0075
DOCKETED
Response Due:
Aug 21, 2008

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/584,270	Michael Bülte	12007-0075

22902

CLARK & BRODY

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INTERNATIONAL APPLICATION NO.

PCT/DE2004/002723

I.A. FILING DATE	PRIORITY DATE
12/13/2004	12/23/2003

CONFIRMATION NO. 5610
371 FORMALITIES LETTER



OC000000031036900

Date Mailed: 07/21/2008

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 06/23/2006
- English Translation of the IA filed on 06/23/2006
- Copy of the International Search Report filed on 06/23/2006
- Preliminary Amendments filed on 06/22/2007
- Information Disclosure Statements filed on 06/22/2007
- Oath or Declaration filed on 06/22/2007
- Biochemical Sequence Listing filed on 06/22/2007
- U.S. Basic National Fees filed on 06/23/2006
- Priority Documents filed on 06/23/2006
- Non-English Language Application filed on 06/23/2006
- Specification filed on 06/23/2006
- Claims filed on 06/23/2006
- Abstracts filed on 06/23/2006
- Drawings filed on 06/23/2006
- Paper nucleotide sequence listings filed on 06/23/2006

Applicant's response filed 06/22/2007 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 03/22/2007 have not been completed.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing

Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

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